

**General Provisions****1.0. Title**

This title shall be known as the Flathead County Development Code and is adopted under the authority of Title 76 (Land Resources and Use) of the Montana Code Annotated and all amendatory acts, and shall include any future amendments. If the provisions of this Title are in conflict with the Montana Code Annotated, the Montana Code Annotated will control.

**1.0.1 Authority and Jurisdiction**

Authorization for these Regulations is contained in Title 76 of the Montana Code Annotated. These Regulations govern land use decisions and activities within the jurisdictional area of the Flathead County Board of County Commissioners. These Regulations supplement all other Regulations, and where they are at variance with other laws, Regulations, ordinances, or resolutions, the more restrictive shall apply.

**1.0.2 Purpose**

This Title is adopted to implement the Growth Policy for Flathead County in order to promote the general prosperity, health, safety and welfare of the citizens of Flathead County. It sets forth the Regulations which govern the subdivision of land, use and/or development of land, division of the County into Zoning Districts and establishes the Regulations pertaining to the Zoning Districts. These Regulations are intended to ensure that development will promote:

- a. Orderly development of unincorporated Flathead County.
- b. Coordination of roads within subdivided lands with other roads, both existing and planned.
- c. Development in harmony with the natural environment, air quality and surface and sub-surface water resources.
- d. Diversity of recreational opportunities.
- e. Conservation of open space and protection of other natural and scenic resources from unreasonable impairment and environmental degradation, including protection of endangered or threatened species.
- f. Dedication of land for roadways and for public utility easements.
- g. Provision of proper physical and legal road access, and for the improvement of roads.
- h. Provision of adequate transportation, water, drainage, and sanitary facilities.
- i. Avoidance or minimizing of congestion.
- j. Effective and efficient provision of public services to protect the rights of property owners.

- k. The avoidance of danger or injury by reason of natural hazard or the lack of water, drainage, access, transportation, or other public services.
- l. A comprehensive and integrated framework to land use decision making.

**1.0.3 Interpretation**

The provisions of these Regulations shall be minimum requirements, adopted for the promotion of the general welfare, health and safety of the residents of Flathead County.

**1.0.4 Conflicts with Other Regulations or Agreements**

These Regulations are not intended to interfere with, abrogate, or annul any covenants or other agreements between parties. The County does not enforce private agreements.

**1.0.5 Severability**

If a court of competent jurisdiction holds any word, phrase, clause, sentence, paragraph, Section, or other part of these Regulations invalid, that jurisdiction will affect only the part held invalid.